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13 **UNITED STATES DISTRICT COURT**
14 **CENTRAL DISTRICT OF CALIFORNIA**

15 FEDERAL TRADE COMMISSION,

16 Plaintiff,

17 v.

18 AMERICAN HOME SERVICING
19 CENTER, LLC, *et al.*

20 Defendants.
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Case No. SACV18-00597-JLS-KESx

**THE FTC'S RESPONSE TO THE
RODRIGUEZ DEFENDANTS'
REQUEST FOR EXTEN[S]ION
OF TIME**

Christine and Sergio Rodriguez have asked for an extra 30 days to file their Opposition to the FTC's Motion for Summary Judgment. DE 160. The FTC does not oppose this particular extension if the Court believes it warranted.¹ But, some of their statements (such as, "no idea how long it will be" before they can resume their defense) portend future requests that, if granted, would effectively give the Rodriguezes the indefinite stay that they previously requested and that the Court denied.² Such a stay would be unfair to the Rodriguezes' victims, who on top of losing thousands of dollars and sometimes even their homes, would also be deprived of a resolution to this matter. The FTC would therefore oppose additional extensions without more information about Ms. Rodriguez's prognosis.³

¹ The Rodriguezes argue that Ms. Rodriguez's medical condition also precludes a response from Mr. Rodriguez, even though Ms. Rodriguez is not his lawyer and cannot act as such. Even so, the FTC does not oppose this particular extension for Mr. Rodriguez. But, the FTC would likely oppose any future requests from Mr. Rodriguez based on facts specific to Ms. Rodriguez's health.

² While the FTC does not doubt Ms. Rodriguez's medical condition, there are some troubling inconsistencies in their story. For example, they say in their request that Ms. Rodriguez was admitted to the hospital on January 8, but they said in their prior Request to Stay that she was admitted on February 7. DE 156 at 1.

³ Although it is unrelated to the merits of their motion, the Rodriguezes also say that the FTC "restricted [their] access to LeadTrac." DE 160 at 3. This is not true. While the former Receiver provided the FTC access to Defendants' customer files, the FTC never had control over either Leadtrac or access to Leadtrac. The FTC did not know of any change in their access to LeadTrac until they filed their request.

And, even if they were able to use LeadTrac as they say they could, namely to show that they resolved complaints to the satisfaction of their customers, it would do nothing to counter the evidence that they made up their approval rates, and that they told clients they were eligible when they could not have done so truthfully. Statement of Uncontroverted Facts at ¶¶ 31, 160-167, DE 154-2 at 31, 34-36. Nor would it counter the evidence of their control over and/or participation in the deceptive conduct of American Home Servicing Center, LLC and National Advocacy Center, LLC. *See generally id.* at ¶¶ 322-339, 350-353, DE 154-2 at 83-86, 88-89.

1 Dated: April 2, 2019

Respectfully submitted,

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3 /s/ Sangjoon Han

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CERTIFICATE OF SERVICE

I, Sangjoon Han, hereby certify that on this 2nd day of April, 2019, I served the foregoing on the following parties by first-class mail:

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/s/ Sangjoon Han
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